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August 8, 2025

Hon. Judge Katherine Polk Failla
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

RE: **AUSTIN v. NOODLE INVESTORS, INC., et al.**
DOCKET NO. 1:25-cv-1359

Dear Judge Failla:

The undersigned represents Patrick Austin, the plaintiff in the above-referenced matter. I write to provide a status update and to request a 30-day adjournment of the initial conference, currently scheduled for August 15, 2025 (Doc. 11).

This is Plaintiff's third request for an adjournment. I recognize the Court's prior instruction that no further adjournments will be granted absent compelling circumstances. The adjournment is requested because the parties have not yet conferred or prepared the pre-conference submissions. Despite multiple attempts to reach Mr. Garbar by phone and email over the past several weeks, I only today reached his secretary at CSI Group Law Firm, counsel for Noodle Investors, Inc. She advised that they have a call scheduled with their client and expect to follow up with me early next week.

Accordingly, Plaintiff respectfully requests a 30-day adjournment of the initial conference. A copy of this letter has been emailed to Mr. Garbar.

I thank the Court for its time and attention to this matter.

Respectfully,
/s/ Gabriel A. Levy

Application GRANTED IN PART. The fact that the parties "have not yet conferred or prepared the pre-conference submissions" is hardly a compelling reason to adjourn the conference. Nevertheless, the Court ADJOURNS the initial pretrial conference to **August 28, 2025**, at **10:00 a.m.** Under no circumstances will the Court grant another request to adjourn this conference.

Mr. Levy is directed to transmit this Order to Mr. Garbar, who is directed to file a notice of appearance in this action on or before **August 13, 2025**.

The Clerk of Court is directed to terminate the pending motion at docket entry 12.

Dated: August 11, 2025
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE